Evening Star, with the Sunday

New Yor's Office; Tribune Building.

Innocence.

JUSTICE GOULD'S CHARGE

Morning.

THE

Attorney Worthington Renews Motion That Jury Be Discharged-

Overruled by the Court.

No. 1, shortly before noon today

delivered his charge to the jury

impaneled in the case of former

of Binghamton, N. Y., placed on

trial more than two weeks ago on

States in connection with the pur-

chase of supplies for the Post

Office Department. The jury re-

tired at 11:45 o'clock to consider a

which had previously been approved by

The jury was also instructed to return a

verdict of not guilty on indictment No.

23938, which alleged conspiracy to commit

an offense against the United States, and which covered the same general ground included in indictment No. 23040, alleging

included in indictment No. 23940, alleging conspiracy to commit a fraud, on which the prosecution elected to go to the jury. The proceedings of this morning were followed with an accentuation of the keen interest on the part of all connected with the trial which has been shown since the acceptance of the defendant. The court

room contained a large number of auditors.

Appeal for Conviction.

In closing his presentation this morning

Major Conrad made an appeal for a verdict

of guilty. He was frequently interrupted

by Attorney Worthington of counsel for

the defense, who repeated his motion made

yesterday to discharge the jury on the

ground of alleged objectionable remarks made by counsel for the government. For

the second time the motion was overruled

The testimony of former Postmaster Gen-

eral Wynne was again made the basis for a vigorous legal combat, Maj. Conrad elo-

quently defending that witness against the

While in court today the defendant seem-

ed to keep up his spirits well. Before instructing the jury as to the law

the court made several preliminary observa-tions. One of counsel for the defendant

the court said, had expressed the fear that

outside of the evidence the nature of

counsel had suggested that the proceedings

were had too near to the seat of govern-

Governed Only by Evidence.

The jury, the court said, was to be gov

erned only by the evidence admitted as

proper by the court, and by the logical con-

clusions which were to be deduced there

from. The court expressed such admiration

of the system of trial by jury that Justice

Gould declined to take advantage of the privilege allowed in federal courts of com-

menting upon the evidence after it had been

The jury was instructed that the court

in overruling the motion of counsel for the defense to take the case from the

jury had not passed upon the question of

the guilt or innocence of the accused.

The court instructed the jury as to the

law relating to conspiracy, saying that it was an agreement to do an unlawful act

on this subject and the federal law of this

mere agreement is sufficient to constitute

the crime, while the latter makes the commission of some overt act necessary

for its completion.

The court then read the indictment upon

which the government elected to go to the

Question of Venue.

As to the question of venue, the jury was

diction if the alleged conspiracy were found

have taken place elsewhere, or, on the other

hand, if the conspiracy were formed else

where and one or more of the acts commit-ted here.

At the instance of Attorney Worthington

the court further instructed the jury that

consider the fact that the defendant did not go on the stand to testify in his own behalf. As to the evidence of former Post-

master General Wynne, which was in so

jury to consider it only as to the question

of bias and prejudice. T.; court said this evidence had been admitted with re-luctance and was not to be considered as

to the merits of the case before the jury.

No Word From Jury.

a late hour this afternoon. Court, of course,

did not adjourn, but Justice Gould left the

bench, and counsel interested in the trial departed. The defendant remained at the

city hall only a few minutes after the case

was given to the jury. About half the auditors who attended the morning session

stayed in the court room, discussing the

probabilities and venturing predictions.

Major Conrad Resumes.

Immediately after Justice Gould took his

seat on the bench this morning at 10 o'clock

Major Conrad resumed his final argument,

which was interrupted at the adjournment

of court yesterday afternoon. He returned with increased vigor to the presentation, opening his remarks with a spirited defense of former Postmaster General Robert J. Wynne, who, counsel declared, had been unjustly criticised by the opposing

(Continued on Second Page.)

No word had come from the jury up to

much controversy, the court instructed the

As to the evidence of former Post-

it could consider any failure to produce evidence by the defense, but should not

an agreement in an unlawful way to a lawful act. The court referred to

difference between the English law

the former holding that the

alleged imputations of the opposing coun

arraignment of the defendant.

Justice Gould, as stated in The Star. In addition the court charged the jury on a

number of points of law and evidence.

VERDICT

AWAITING

No. 16,601.

WASHINGTON, D. C., THURSDAY, MARCH 8, 1906-TWENTY PAGES.

THE CIVIL PENSION UP TO DATE.

e Evening Sta

TWO CENTS.

WITHOUT A MINISTRY

Important Crisis. Considering Question of Guilt or

> IS UNAFFECTED POLICY

In Attitude of Government at Moroccan Conference.

Summing-Up Address Concluded This TEMPORIZING METHODS FOLLOW

> In Dealing With the Church Manifestants-Move for Formation

PARIS. March 8.-The government finds itself without a ministry at the cuiminating stage of the Moroccan conference at Algeciras. A semi-official statement on the sub-Justice Gould, in Criminal Court "The ministerial crisis does not affect

This is designed chiefly to warn Germany not to take advantage of the situation. The fact is that the ministerial hiatus confuses matters and threatens the agreement, which State Senator George E. Green otherwise might have been reached today. The vote in the chamber of deputies last night, resulting in the defeat of the government and the resignation of the cabinet, consolidated indictments for con- also requires that the government temporize spiracy to defraud the United with the church manifestants, who are becoming increasingly demonstrative, particularly the peasants.

To Form New Ministry.

President Fallieres today began a series of consultations relative to the formation of a new ministry. He first conferred lengthily with M. Dubost, president of the senate, and later received M. Doumer, president of Justice Gould began the announcement of the chamber of deputies. No announcement his charge at the conclusion of the final argument of Maj. Holmes Conrad, for the government, who closed the summing-up arguments. The instructions given by the court included those prayers of counsel which had previously been approved by Clemenceau.

Clemenceau.

There is some talk also of M. Delcasse, the former foreign minister, who is supported by the Anglo-French enthusiasts, but his appointment is impossible owing to German hostility to him.

M. Rouvier wants to retire from the premiership, but he may be induced to retain

the portfolio of foreign affairs or that of the portfolio of foreign affairs or that of finance under another premier. Rentes went off 20 per centimes today, but recovered, showing that the operators on the bourse were not seriously disturbed by the resignation of the cabinet.

Vatican Greatly Interested.

from France regarding the cabinet crisis, in del Val were most interested, although it was admitted that it was difficult to establish whether the issue would be a victory for the holy see or the inauguration of an even stronger anti-Catholic regime in

CASE IN THE JURY'S HANDS. Close of Trial of Hermann and Tomp-

the jury might be influenced by some things

When court adjourned at 10 o'clock last night it was understood that the defense would today offer further expert testimony. with the hope of breaking down the testimony of the four physicians who testified for the state. Much to the surprise of the prosecuting counsel the defense announced when court convened this morning that its case was closed. The defense has been one of complete denial. Hermann was on the vitness stand for nearly three hours last night, and at the conclusion of a most rigid examination the impression prevailed that he had materially weakened his own case.

The general impression prevails here this afternoon that both Hermann and Tompkins will be convicted of mansiaughter. There has been a full bench throughout the trial of the cases, which were removed here from Cumberland, and which, by reason of

wick, England, Today. WARWICK, England, March 8.-Craig

ican embassy, just missed winning the rich National Hunt steeplechase, valued at instructed that the court would have juris- \$5,000 and run here today. His Portlight II made a game race, but only secured secto have been entered into in the District of ond place, being defeated by an outsider, Columbia, even though all the overt acts | Count Rufus. set forth in the indictment were shown to There were twenty-eight starters, all rid-

den by amateurs, over difficult, natural country. The distance was four miles. The managers of the race prepared for trouble by engaging four doctors, but no serious accidents occurred. The winner started at 25 to 1 against. Portlight II was 100 to 8 against.

TWO TRAINMEN KILLED.

Fatal Rear-End Collision of Freights

Frank Aken and S. E. Nixon were killed today in a rear-end collision of freight trains in the Derry yards of the Pennsylvanla railroad. The men were in the caboose when the engine of a through freight train crashed into it, wrecking it completely. .. flagman, who was also in the caboose, escaped with slight injuries by jumping.

Middy's Resignation Acepted. ANNAPOLIS, Md., March 8 .- The resignation was accepted today of Midshipman Adrian B. Cather of West Virginia, a mem-

Hearing in Greater Pittsburg Case.



IN GREEN CASE Unique Position of France at

of a New Cabinet.

French policy at the conference."

ROME, March 8.-The Vatican authorities received throughout the night telegrams which the pope and Papal Secretary Merry

kins at Hagerstown. Special Dispatch to The Star.

HAGERSTOWN, Md., March 8.-Following arguments lasting eight hours the cases of F. William Hermann, white druggist, and Dr. Joseph H. Tompkins, negro physician, charged with causing the death of Miss Jean Maxwell as the result of a criminal operation, were given to the jury here late this afternoon. The two men are being tried jointly, and in case of conviction there will be no need for further trial. In case of acquittal they will likely be tried separately. there being indictments against them individually.

the prominence of the parties involved, have attracted widespread attention.

JUST MISSED RICH PLATE.

National Hunt Steeplechase at War-

Wadsworth, second secretary of the Amer-

on "Pennsy."

LATROBE, Pa., March 8.-Trainmen

ber of the fourth class.

PITTSBURG, Pa., March 8.—At the opening of quarter sessions court today Judge Samuel McClung notified the attorneys in the "Greater Pittsburg" case that he had fixed March 10 as the date for the hearing of the argument on the exceptions filed yesterday to the annexation of Allegheny to Pittsburg.

The naval tug Choctaw, from Washington, is engaged here today transferring to the Nerfolk naval magazine from Newport News condemned ammunition brought in last evening by the collier Nero from the North Abantic fieet now in West Indian waters. The Choctaw will on her return to Washington carry considerable of this ammunition to Indian Head on the Potomac river.



TAKE YOUR CHOICE, GENTLEMEN.

CALIFORNIA SENSATION THREE WRECK VICTIMS POLITICS IN AN ORDER

ELEVATOR COMPANIES.

the filing of a suit by the United States government against a number of elevator companies has caused a sensation in Calilegal proceeding of the kind ever instituted out here.

United States District Attorney Robert | night. Devlin, who brought the suit, was located late last night at his residence in Berkeley. In discussing his action he said:

"The complaint filed yesterday is against defendants, who are alleged to be in one concern and operating contrary to the provisions of the Sherman act. The complaint was drawn up by me, but is signed by United States Attorney General Moody, all such actions originating at Washington. "The action is based upon affidavits of men who were formerly in the combine and who state that, while the defendants to the

action are apparently separate concerns. they, in reality, are all under control of the Otls Elevator Company. The effect of this pooling of interests is to enhance prices and restrict trade with the view to controlling all the elevator business on the Pacific coast, with the probability that this is but a branch of a gigantic trust that controls the elevator output all over the United States.

Against the Sherman Law. "Such a combination is against the pro-

visions of the Sherman law, and we believe that we have ample evidence against the trust to make out a clear case when it comes to trial.

"The affidavits of the men set forth in the complaint, whose names I do not now remember, are complete and are based upon personal knowledge. A great quantity of material of firms not in the combine has gone to waste, there being no sale for it. "This suit has been carefully prepared and will be pushed vigorously. In every phase of it the Attorney General has been consulted, and I regard the case as clear and strong against all the long list of de-

3 ITALIAN WORKMEN KILLED.

Score or More Injured in Collision on "Pennsy" Road.

GREENSBURG, Pa., March 8.-Three Italians were killed outright and a score or more injured, a number, it is believed, fatally, in a collision on the Pennsylvania railroad near Rodebaugh, Pa., today between a "milk train" and a work train filled with foreigners. The work train was composed of flat cars loaded with pipe for a pipe line which the Pennsylvania railroad is building from Indian Creek to Pittsburg. About seventy-five Italians employed at

this work were also aboard, and the train had just pulled onto the main line from a siding, when it met the milk train in collision.

The two trains came together with terrific force, and men and iron pipe were hurled in all directions. The last flat car was telescoped, and two others demolishdamaged. Immediately after the accident the crew

of the milk train went to the assistance of the injured, but were forced to flee from the injuriated Italians, who were crazed at the sight of their dead and dying country-

Some of the Italians rushed at the train crew with threats of vengeance, and the crew had to take refuge on their engine to escape the wrath of the foreigners.

The dead and injured were brought to this city and the most seriously hurt taken to the hospital. It is thought a number will die. As the foreigners were all known by numbers their names could not be learned. They were in the employ of the American Pipe Manufacturing Company of Philadelphia. The responsibility for the accident has not been determined. has not been determined.

Minneapolis for Bradford's Flagship. Special Dispatch to The Star.

FORFOLK, Va., March 8 .- Announcement s made here today that following the placing out of commission of the flagship Olympia at the Norfolk navy yard Rear Admiral Bradford will transfer his flag from the Olympia to the cruiser Minneapolis, which arrived here yesterday. Commander B. A. Fiske will at once succeed Capt. James Miller as commanding officer of the Minneapolis.
The naval tug Choctaw, from Washing-

OVER FILING OF SUIT AGAINST FURTHER DETAILS OF FATAL COLLISION AT SARATOGA.

SARATOGA, N. Y., March 8.-Three deaths have followed the wreck of the local passenger train on the Delaware and Hudson railroad, bound from Rutland, Vt., for fornia and the west, this being the first Troy, which, while held up by a freight wreck near the station here, was run down by the Montreal flyer, sounth-bound, last

This morning at the Saratoga Hospital, to which the more seriously injured were removed, the following list of dead and injured is reported:

forty years, of Gansevoort; Gertrude Es- publican caucus shall have the right to apmond, her daughter, age ten years, and point a bill reader for the remainder of the Frank A. Sindecuse, a traveling salesman of Buffalo.

Seriously injured: Frank Cardes of Albany, whose condition is unchanged, with about even chances of recovery.

Frank Terse of Albany, Nelson M. Varney of Sandy Hill and Berton B. Bowney of Saratoga, who were less seriously in jured and who were removed to homes or homes of friends, will, it is expected, recover

Mrs. Esmond died this morning. Her daughter survived her injuries but a few moments. Mr. Sindecuse, whose leg was severed in the wreck, died during the night. the Montreal expess, who had been warned by a brakeman from the local train, was, because of slippery rails due to the rain, unable to greatly slacken the speed of his locomotive before it crashed into the

THE SUGAR TRUST

PROSECUTIONS TO BE MADE ON ACCOUNT OF REBATES.

In a statement made by Attorney General Moody at the Department of Justice today it is admitted that the department is now arranging to bring prosecutions against the sugar trust and certain prominent railroads that have given the trust rebates on shipments of sugar to the west. While the exact procedure of the government is not stated, the matter now being in the hands of the United States attorney in New York, the probability is that criminal proceedings will be brought against H. O. Havemeyer, high officials of the Delaware, Lackawanna and Western road and other roads for offenses against the rebate law. The statement of the Attorney General is

as follows: "Upon being shown the publication in the New York American and Journal of today, Attorney General Moody said that some weeks ago a representative of that paper called upon him and said that information was in possession of that paper tending to show that large rebates on the transportation of sugar had been, given to the American Sugar Refining Company by the trunk lines of railroads running out of New York city, and asked him if the Department of Justice desired to use the information in legal proceedings. An examination of the matter submitted showed clearly that it was highly important and tended to show the giving and receiving of large money rebates. The subject was then brought to the attention of Mr. Stimon, who had been selected by the President as district attorney for the southern dis-

"Following this, on the 1st day of February, which was the date of Mr. Stimson's taking office, a conference was held in New York between the Attorney General, the assistant to the Attorney General, Mr. Purdy, and Mr. Stimson, when the evidence was gone over with very great care.

"It is the purpose of the department to proceed carefully, but with all possible expedition.

expedition.

"It ought to be said that until this information was furnished the department by the representative of the American, the department had no knowledge or suspicion of the fact and that the representatives of that paper have aided the officials of the department in all ways within their

Subpoenas are said to have been sent ou to half a hundred prominent New York men for appearance before the grand jury in New York to answer questions that will show that rebates were given the sugar trust, which controls about 70 per cent of the sugar output of the country.

There is some talk that Attorney General Moody may appear personally in these cases, but this is not known.

21 Fishermen Killed by Snowslide. TRONDHJEM, Norway, March 8.—A snow avalanche at the Lofoten Islands last night buried a number of fishermen's huts. Rescuers extricated twenty-one dead and thirty-nine injured.

SIGNIFICANT ACTION OF MONT-GOMERY MEMBER AT ANNAPOLIS

Special Dispatch to The Star.

STATE HOUSE, Annapolis, Md., March 8.-Mr. Lee introduced local Montgomery county politics, and factional politics at that, in the senate this morning when he presented the following order, which was referred to the finance committee:

The dead are: Mrs. Charles Esmond, age of the senate who voted in the last resession, who shall have the privilege of the brings floor, and whose duties it shall be to scru- gether. tinize legislation, especially private and local bills and to advise the senators appointing him as to the contents of the same and whose compensation shall be at

the rate of \$7 a day. Explained the Order.

In explaining this order Mr. Lee said that he had been charged during the campaign, which resulted in his election, with being a friend of the liquor interests in Montgomery county. He explained that local option exists there and that this report. which was persistently circulated, was untrue. It has come to his ears, he said. that a bill affecting this law will be "snaked" through the legislature is possible. "Perhaps under some bank charter," and he wanted to be protected against any such possibility. He called attention to the effect that bills are never read in full and that what portion of the bills are read cannot be understood, so as time goes on, the possibility of something of this sort slipping through, unknown to him and to the reading clerk, increases. He thinks 124 per day which the order entails will be well expended in this manner.
Mr. Lee introduced in the senate this

morning a bill regulating the qualifications of and salaries of certain school teachers of the white public schools of Montgomery county. This regulation regulates sai-aries according to the number of subteach-ers or the amount of work which the teach-

ZION CITY'S GLOOMY OUTLOOK. Dowie's Followers Exhorted to Part With Their Money. CHICAGO, March 8.-Picturing a gloomy

financial situation and recognizing a crisis, Riplinger, defeated republican candidate for Overseer Voliva called upon the residents of Zion City last night for over \$250,000 to the election of William Hickman Moore, save the community from the money lenders, and thus to relieve the present pressure and put the industries on a paying basis. As security he promised the people first there would be a recount, but both candimortgages on the lace factory and the printing house. He called upon ministers to give up their salaries, he asked clerks and laborers to

work for \$3.39 a week and upbraided the followers of Dr. Dowie for wearing jewelry and gaudy clothes. "Accept in pay just enough to provide for living expenses," was his urgent request, he himself declaring he was willing to live on 25 cents a week if possible thus to keep soul and body together.

GRAVE DOUBT OF RECOVERY. Susan B. Anthony's Condition Regarded as Serious.

ROCHESTER, N. Y., March 8 .- Reports from the bedside of Susan B. Anthony, who is ill of pneumonia, were not quite so encouraging today. Her physician said: "Miss Anthony spent a fairly good night, but was more restless and slept less soundly than on the previous night, though she suffered no pain to speak of. However, we do not feel entirely safe, because of her great weak-The doctor's tone indicated that grave doubts of Miss Anthony's recovery were held.

Ocean Steamship Movements. SIASCONSET, Mass., March 8 .- Steamer Baltic, from Liverpool for New York, was in wireless communication with the station here when the vessel was 120 miles east of Nantucket lightship at 6 a.m. The Baltic will probably reach her dock about 8:30 a.m. NEW YORK, March 8.—Arrived: Konigin

House Committee at Augusta. AUGUSTA, Ga., March 8.-The rivers and narbors committee of the House of Representatives arrived here today. They were met by the mayor and a local delegation and will be extensively entertained all day. They will leave at 11 o'clock tonight in a special train for Macon.

Conference Continued Discus- Senator McCumber Speaks on sion of Police Plans.

Feared Cabinet Crisis Would Hurt | Would Create French Diplomacy.

GERMANY'S IMPORTANT NOTE OPPOSED TO PENDING MEASURE

Official Statement by Chief of Kaiser's | Entirely Eliminates New Mexico and Commission Appears to Assure

an Agreement.

ALGECIRAS, Spain, March 8.-The ministerial crisis in Paris caused profound astonishment among the delegates of the powers attending the Moroccan conference, but the details have not yet reached Algeciras. The impression prevails that the event is deplorable and may possibly prove disastrous to French diplomacy. The delegates, however, refuse to commit themselves on the effect which the downfall of the Rouvier cabinet may have on the

Previous to the receipt of the news of the ministerial crisis at the French capital the tone of discouragement had completely disappeared and the work of rapprochment was proceeding with feverish activity. The conference this morning resumed the discussion of the Moroccan police question. Three distinct propositions were presentedone by the Austrian delegation embodying the German ideas, another by the French and the third by the Moroccan mis-

The Austrian Plan.

The Austrian plan gives the sultan supreme command of the police and he is to select French officers for the police at four perts, namely, Tangier, Saffi, Rabat and Tetuan, and Spanish officers for three ports, namely, Mogador, Larache and Mazagan. The sultan finally is to select an inspector general of police from Switzer-land or Holland. The inspector general is to have his headquarters at Casablanca. on the Atlantic coast, and is to command the Franco-Spanish police at the other

The Moroccan plan makes the sultan supreme and asks that all the powers par-ticipate in the organization of the police. The French plan as heretofore outlined establishes Franco-Spanish police at eight

However, the presentation of the plans

Germany's Notable Concession.

An official note issued at the close of the day's session read as follows: "Herr Von Radowitz (chief of the German mission), referring to the statements made by the Russian, French and Spanish delegates at the last session of the conference, said the German government did not object to the organization of the Moroccan police by France and Spain at the ports open commerce, under proper guarantees assur-

ing economic liberty. conference adjourned until Saturday night, in order to permit the delegates to study the police projects. The official statement made by Herr Von Radowitz today appears to assure an

agreement. The presentation of the French plan by M. Revoil, head of the French delegation, followed the receipt of a telegram from M. Rouvier stating that the resignation of the cabinet left the previous instructions to the lelegates operative.

Significant Order From Madrid. MADRID, March 8 .- Owing to the favorable turn taken in the situation at Algeciras. Premier Moret has telegraphed to the Duke of Almodovar, the Spanish foreign minister and chief of the Spanish delegation at the Moroccan conference, who was to have returned to Madrid shortly on state business, to remain at Algedras until the conference concludes its sessions.

MUNICIPAL OWNERSHIP SCORED. Elected Its Candidate for Mayor of Seattle.

SEATTLE, Wash., March 8 .- The Post Intelligencer prints a statement from John Pershing's Appointment Would Jump mayor, announcing that he will not contest the municipal ownership candidate, whose plurality was fifteen. Judge Moore also stated last night that he did not think dates expressed themselves as being willing to abide by the result if it was deemed advisable to have a recount.

The defeat of the republican candidate for councilman in the second ward was fully established last night. The second ward is the home of United States Senator

HENDERSON MEMORIAL. Iowa Legislature Paid Tribute to Late

Speaker. DES MOINES, Iowa, March 8 .- The Iowa legislature today convened in joint assembly to pay tribute to the memory of former Speaker Henderson of the national House of Representatives. Speaker Clarke of the Iowa house and Senator George W. Dunham, personal friends of the late speak-er, delivered eulogies.

An address by Representative Nate Ken-dall completed the program.

IVENS MURDER TRIAL BEGINS. State's Case Rests Largely Upon De-

fendant's Confessions.

CHICAGO, March 8.-The trial of Richard Ivens for the murder of Mrs. Bessie Hollister was commenced today. At the opening of court a delay was occasioned by objections filed against one of the jurors by As sistant State's Attorney Olson. After a consultation with Judge Smith and Attorney Folz, who represents Ivens, the juror was excused, it being thought that his feeble health would not be able to stand the strain of an extended trial. Another juror was secured, and Assistant State's Attorney Olson made his opening address to the

of the state rests largely upon the repeated confessions made by Ivens to the police and to the state's attorney's office, and as soon as the case was fairly under way Mr. Folz objected to the introduction of any confession purported to have been made by Ivens. He was promptly oversuled by the court.

THE MOROCCAN PARLEY PLEADS FOR THE WEST

fair and colder.

Weather.

Rain tonight; tomorrow

the Statehood Bill.

PARIS NEWS ASTONISHED PRESENTS HIS SUBSTITUTE

Oklahoma

Arizona-Senate Meets at 11-

Indian Bill in the House.

The Senate met at 11 o'clock today, an hour earlier than usual, in order to afford additional time for the discussion of the statehood bill, but it looked for a while as though that object would be frustrated by the lack of attendance on the part of senators. When the hour for meeting arrived not a single seat in the chamber was occupied, but as the Vice President and the chapiain entered through the north door Mr. McCumber and Mr. Gearin appeared at the opposite entrance and Messrs. Teller and Patterson came in a few moments later. Other senators were slow in making their appearance, and at 11:15, when Mr. McCumber began to speak on the statehood bill, less than a dozen sena-

tors were in their seats. Mr. McCumber introduced his speech by presenting a substitute for the statehood bill creating one state of Oklahoma and another of Indian Territory, the latter under the name of Sequola, in honor of the Cherokee scholar of that name, and entirely eliminating New Mexico and Arizona. He made an argument against the consolida-tion of the territories into fewer states, contending that more western states were necessary to give the agricultural and other contending that more western states were necessary to give the agricultural and other transmississippi interest strong representation in Congress. He predicted in the near future the west would have a much larger population than the east, and said that even if present boundary lines were preserved it would still be impossible to secure as many states as there were east of the Mississippi, and that, therefore, the balance of power in the Senate must necessarily be against the western section.

Mr. McCumber declared that the time would come when the east would find its protection in the west. He referred to the influence of foreign immigation in eastern communities, and in this connection said that at its last election Chicago had elected a socialist as mayor.

when Mr. McCumber closed Mr. Tillman last democratic caucus, and any five members who voted in the minority of the last democratic caucus and any five members of the senate who voted in the last republican caucus shall have the right to appoint a bill reader for the remainder. motion. He retried message as "a very remarkable document," and said that but for the pressure to proceed with the statehood bill he would ask

to be heard at this time. Mr. Patterson Opposes the Bill.

Mr. Patterson then addressed the Senate on the statehood bill, speaking in opposition to the passage of the House bill. He devoted his attention almost exclusively to the portion of the bill providing for the joining of Arizona and New Mexico, and contended that Arizona as now founded had an unquestionable right to ultimate state-

HOUSE OF REPRESENTATIVES.

The House, on meeting today, agreed to a resolution calling on the Secretary of State for the report of Herbert H. D. Peirce on the condition of the American consulates in the orient, and especially Shanghai.

By mistake, several days ago, Mr. Hughes (W. Va.,) favorably reported from the committee on accounts a resolution increasing from \$60 to \$70 a month the salaries of the four colored cloak room men, whose duties it is to hang up coats and hats of members, shine their shoes, etc. The resolution was agreed to at once. Just as that result was ounced Mr. Hughes realized that he had been directed by the committee to report the resolution with the recommendation that it should not pass. Today he moved to reconsider the action, but his motion was laid on the table by a vote of 96 to 41, thus affirming the increase.

The Indian appropriation bill was taken up for amendment On motion of Mr. Mondell (Wyo.), the irrigation fund was relieved from the \$200,-000 charge for the irrigation project of the Pima Indians on the Gila river reservation.

NEW BRIGADIER GENERAL

Him Over 910 Officers. Each day's delay in filling the vacancy in

the list of brigadier generals caused by the statutory retirement of Gen. C. C. Carr on the 3d instant serves to intensify the interest in military circles in the contest for the star until it is now almost at fever heat. That the competition is strong and close is indicated by the fact that the President hesitates in making the nomination, notwithstanding it is known that he desires The second to give substantial recognition in the way of promotion to Capt. John J. Pershing, one the heroes of the Moro campaign. It is of the heroes of the Moro campaign. It is said that the only objection to the imme-diate appointment of Capt. Pershing is his comparative youth and short service. He stands No. 54 in the list of captains of cavairy, and No. 311 in relative rank of cap-tains of all arms. If he is appointed a brigadier general it will be over the heads of 311 captains, 364 majors, 128 lieutenant col-

onels and 107 colonels.

No confirmation of the report that he has been selected for appointment as briga-dier general can be obtained at the War Department, but it is intimated that an announcement in regard to the matter of army promotions will be made in a day of

who will secure the permanent brigadier-ship, it seems to be generally accepted that the following-named lieutenant colonels will be made brigadier generals and imme-diately retired: L. W. Cooke, 26th Infantry; diately retired: L. W. Cooke, 28th Infantry; C. P. Miller, quartermaster's department; H. S. Turrili, medical department; Joseph M. Califf, artillery corps; William W. Robinson, quartermaster's department, and James B. Hickey, nilitary secretary. All the officers named served during the civil war, and unless promoted at this time will never reach brigade rank.

HAUGH TO KNOW FATE SOON.

Evidence All in at Murder Trial at Dayton.

DAYTON, Ohio, March 8.-The fate of Oliver Haugh, charged with the murder of als parents and his brother, will soon be mown. All the evidence is in, and the arguments will probably begin tomorrow.

The state introduced as a witness Mrs. Delia Betters of Ludington, Mich., who said she had been married to Dr. Haugh in Chicago August 27, 1901. A year later she discovered that he had another wife living, and she left him.